

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	CIVIL ACTION NO. 2:05-cv-525-WKW
	:	
TWENTY-FIVE FIREARMS AND	:	
VARIOUS AMMUNITION,	:	
	:	
Defendant.	:	

DECREE OF FORFEITURE

On June 3, 2005, a Verified Complaint for Forfeiture In Rem against the Defendants was filed on behalf of the United States of America. The Complaint alleges that the Defendants were in the possession of Timothy Craig Scott (Scott) and that Scott is prohibited from possession of firearms and ammunition by reason of his domestic violence conviction. Scott's actual or constructive possession of the Defendants makes the Defendants subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1).

It appearing that process was fully issued in this action and returned according to law;

Pursuant to a Warrant for Arrest In Rem issued by this Court, the Department of Alcohol, Tobacco, Firearms and Explosives arrested the Defendants on July 19, 2005;

On August 25, September 1 and 8, 2005, notice of this action was published in the Montgomery Independent newspaper;

On July 19, 2005, Timothy Craig Scott was personally served by the Department of Alcohol, Tobacco, Firearms and Explosives a copy of the Verified Complaint for Forfeiture In Rem, the Warrant of Arrest In Rem;

On September 9, 2005, Scott filed a letter/claim;

On February 2, 2006, the United States filed a Motion to Strike Scott's claim for not being filed in accordance with Rule C(6) of the Supplemental Rules for Certain Admiralty and Maritime Claims;

On February 10, 2006, an Order was entered for Scott to show cause by February 24, 2006, why the United States' Motion to Strike should not be granted. Scott did not file a response;

On February 28, 2006, an Order was entered granting the United States' Motion to Strike Scott's claim; and,

That no other claim or answer has been filed on behalf of any other party.

Now, therefore, on Motion of the United States for a Decree of Forfeiture (Doc. # 13-1) and for good cause otherwise shown, it is hereby:

ORDERED, ADJUDGED AND DECREED that the following Defendants be forfeited to the United States and no right, title or interest in the Defendants shall exist in any other party:

1. **1 Each (45 CALIBER) Winchester-Western Rounds (7 ROUNDS);**
2. **SIG SAUER P230SL Handgun, SN: S065691;**
3. **1 Each (380 CALIBER) UNKNOWN Rounds (15 ROUNDS);**
4. **LUGER, Model P08 9mm Pistol, SN: KU3315;**
5. **1 Each (9 CALIBER) UNKNOWN Rounds (8 ROUNDS);**
6. **SPRINGFIELD ARMORY, GENESEO, IL, (30-06 CALIBER) M-1 Rifle, SN: 5308186;**
7. **Enfield SMLE III, (30-30 CALIBER) Rifle, SN: H0035;**

8. MAUSER, Model 98 Rifle, SN: 16228;
9. MAUSER, Model P38 Handgun, SN: 4203B;
10. ARIZAGA, EUSEBIO, Model 99 Rifle, SN: 39468;
11. UNKNOWN MANUFACTURER, Model 1891 Rifle, SN: 01840;
12. MOSIN-NAGANT — 91/30 (7.62 CALIBER) Rifle, SN: 9130-0575;
13. SPRINGFIELD ARMORY, Model M-1911A1, .45 CALIBER Handgun, SN: N367423;
14. 1 Each (45 CALIBER) American Ammunition Rounds (7 ROUNDS);
15. SPRINGFIELD ARMORY, GENESEO, IL, Model M-1911A1 Handgun, SN: N382417;
16. 1 Each (45 CALIBER) Federal Rounds (9 ROUNDS);
17. REMINGTON ARMS CO., Model 870 Shotgun, SN: B518476M;
18. 1 Each (12 CALIBER) Remington Rounds (5 ROUNDS);
19. REMINGTON ARMS CO., Model 700 Rifle, SN: E6331102;
20. ARSENAL CO. OF BULGARIA, Model SLR-95, (762 CALIBER) Rifle, SN: AE370546;
21. 1 Each (762 CALIBER) UNKNOWN Rounds (27 ROUNDS);
22. Other Firearms Parts, SN:NONE; One 7x62 Caliber Magazine;
23. ARIZAGA, GASPAR, Model 38 Rifle, SN: 1284676;
24. MOSIN-NAGANT, Model M-39, (762 CALIBER) Rifle, SN: 86432/26274;
25. MAUSER, Model M-38 Rifle, SN: 704877;
26. REMINGTON ARMS CO. Model 1903 A3 (30-06 CALIBER) Rifle, SN: 4120853;
27. UNKNOWN MANUFACTURER M1 Carbine Rifle, SN: 7160060;
28. 1 Each (30 CALIBER) UNKNOWN Rounds (44 ROUNDS);

29. Other Firearm Parts, One magazine .30 CALIBER;
30. Enfield, Model 1917, (30-06 CALIBER) Rifle, SN: 16788;
31. 1 Each (8 CALIBER) UNKNOWN Rounds (5 ROUNDS);
32. MAUSER, Model M-48 (8 CALIBER) Rifle, SN: A14119;
33. MOSIN-NAGANT, Model M-91/30 (762 CALIBER) Rifle, SN: 4K175;
34. SPRINGFIELD ARMORY, GENESEO, IL M1A Rifle, SN: 165451;
35. NORTH CHINA INDUSTRIES SKS Rifle, SN: 1705023;
36. NORTH CHINA INDUSTRIES, Model SKS (762 CALIBER) Rifle, SN: H9483;
37. 1 Each (762 CALIBER) UNKNOWN Rounds (31 ROUNDS);
38. Other Firearm Parts, One 223 Caliber Magazine SN: NONE; and,
39. 1 Each (357 CALIBER) UNKNOWN Rounds (15 ROUNDS).

The Defendants shall be disposed of according to law.

DONE this the 18th day of April, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE